

FAQs About The Disciplinary Process...Continued

10. What happens if you fail to self-report a conviction prior to your license renewal?

Your failure to disclose all past convictions is grounds for disciplinary action as you falsified information required on your renewal application.

11. Can you still practice as a licensed vocational nurse or psychiatric technician if a complaint is filed against you or if you disclose a conviction on your renewal application?

Yes. You have the right to due process under the law for any complaint filed against you (see question 3). Therefore, until formal disciplinary action is taken against you, you have the right to practice unless a Temporary Restraining Order (TRO) or an Interim Suspension Order (ISO) is ordered.

12. After you are licensed, do you have to report a change of address to the Board?

Yes. All persons holding a license from the Board must file their current mailing address with the Board at its office in Sacramento. You must immediately notify the Board in writing of any changes of mailing address within 30 days of the change. The notification must include your license number, your old address and your new address.

If you fail to notify the Board of a change of address, you may be issued a citation and a fine. Additionally, if a complaint has been filed against you and you fail to notify the Board of a change of address, you may not receive the Board's official notice of a proposed disciplinary action. This may result in a default decision to revoke your license.

13. Where can you find more information about the responsibility of a licensee?

You are responsible for knowing about all of the statutes and regulations governing your license and profession. You may purchase a copy of these rules and regulations from the Board or you can review them on the Board's internet web page at:

<http://www.bvnpt.ca.gov>

14. Does the Board publish a newsletter?

Yes. The Board publishes a newsletter semiannually. You may review articles from the newsletter on the Board's internet web page. Your name can also be added to the mailing list by writing the Board at the address below.

15. Does the Board publish the names of licensees who have disciplinary action taken against their license?

Yes. The Board publishes this information on its internet web page in addition to notifying agencies as indicated in question 5.



For further information consumers and licensees may contact:

**Board of Vocational Nursing and
Psychiatric Technicians**
2535 Capitol Oaks Drive, Suite 205
Sacramento, CA 95833-2945
Telephone (916) 263-7800
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Disciplinary Overview

Disciplinary Process Frequently Asked Questions

Informational Series #4



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***“Consumer Protection...
Our Primary Mission”***

FAQs About The Disciplinary Process

The information contained in this brochure applies to vocational nurse (VN) and psychiatric technician (PT) applicants and licensees.

1. What happens when a complaint is filed against you?

The Board conducts an investigation to verify the facts of the complaint. The complainant and licensee are given the opportunity to respond to the merits of the complaint. When the investigation is completed, the Board determines if formal or informal disciplinary action is required.

Formal action includes revocation or suspension of the license, placing the licensee on probation or denying an application for licensure.

Informal action may include issuance of a citation and fine or notice of warning and/or required participation in a remediation program.

2. What happens if the Board issues a citation and fine against you?

If you are issued a citation and fine, you will have thirty (30) days to comply with the citation order or you may request an informal hearing with the Board's Executive Officer to contest the citation.

3. What happens if the Board decides to take disciplinary action against you?

An accusation is filed and you are officially notified of the proposed disciplinary action. You have fifteen (15) days to file a Notice of Defense to request an administrative hearing. If you file a Notice of Defense, a hearing date is scheduled to allow you the opportunity to contest the merits of the accusation.

After an evidentiary hearing before an administrative law judge (ALJ), a proposed decision is issued indicating what discipline (if any) the ALJ thinks is appropriate. The Board then adopts, modifies or rejects the proposed decision. The Board's decision is ultimately what affects your license.

4. What happens if you are issued a license on probation?

You are given a detailed letter summarizing the terms and conditions of your probation. Additionally, a meeting with a Board representative is scheduled to review the probationary requirements and to assist your understanding and compliance.

5. Does the Board report your probationary status to law enforcement officials?

Yes. The Board reports your disciplinary status (e.g., revocations, suspensions, probations, etc.) to the Healthcare Integrity and Protection Data Bank (HIPDB), a national health care fraud and abuse data collection program. Eligible federal and state agencies and health plans that are registered with the HIPDB, including all law enforcement agencies, may access this information.

Additionally, if you are certified or licensed in another health-related field (e.g., Certified Nurse Assistant, Medical Assistant, Registered Nurse, etc.), the Board notifies the applicable licensing agency accordingly.

6. What happens if the Board denies your application for licensure?

You have the right to appeal by requesting an administrative hearing. The burden of proof is upon you to establish your qualifications to practice and your rehabilitation efforts (if applicable). The process is similar to that explained in question #3.

7. Are application or examination fees refunded if your license is denied?

No. The fees paid are non-refundable.

8. Do you have to retake the examination if your license is denied?

The Board may require you to retake the examination if four (4) years have passed since you successfully completed the licensing examination to ensure that your qualifications to practice are still current.

9. After you are licensed, do you have to report subsequent convictions?

Yes. The California Department of Justice will send the Board a copy of your criminal record report for any subsequent convictions. Additionally, as part of your biennial renewal process, you are required to certify under penalty of perjury whether you have been convicted of any crime within the two years immediately preceding your license renewal.

